IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO. 4118 OF 2007

IN

FIRST APPEAL NO. 1754 OF 2007

IN

M.A.C.P.NO. 108/2001

Shri Ramchandra Bapu Kachare ... Applicant/Appellant
(Orig. Resp.No.2)

Versus

Shri Hanmant Khandu Vibhute & Anr. Respondents

Mr. Tejpal S.Ingale,Advocate, for the the applicant.

CORAM: J.H.BHATIA,J.

DATE : 14th September, 2007

P.C.

1. Though resondent No.1 is served, his Advocate is not present. Heard Mr. Tejpal Ingale, Advocate for the applicant.

2. The respondent No.1/claimant is the owner of Moped M-80 which met with an accident with the truck of

the present appellant. The Motor Accident Claims Tribunal awarded compensation of Rs.1,48,022/-. The applicant seeks stay to the execution of the said order. According to him, with great difficulty, he has managed to deposit Rs.25,000/- before filing the Appeal. He also states to have paid an amount of Rs.28,900/- as stated in para 3 of the Application. The learned Counsel makes a statement that the applicant shall deposit further amount of Rs.20,000/- within six weeks from today.

3. Subject to the applicant depositing further amount of Rs.20,000/- within six weeks from today, the execution of the award shall remain stayed pending the Appeal. The amount be deposited before the Tribunal. The respondent No.1/claimant shall be at liberty to make an application before the Tribunal for payment of the said amount. In case the amount is not deposited within the stipulated period, the Appeal shall be deemed to have been dismissed.

Application stands disposed of.

(J.H.BHATIA,J.)